

REPORT OF INVESTIGATION

Page 1 of 4

1. Program Code SEP486	2. Cross File <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Related Files	3. File No. [REDACTED]	4. G-DEP Identifier [REDACTED]
5. By: Elizabeth J Newsom, IRS At: Milwaukee DO			6. File Title [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:			8. Date Prepared 08-10-2023	
9. Other Officers: GS Laura Reid, DI Amber Davis, AUSA Julie Stewart, AUSA Kevin Knight, Defense Attorney Jonthan Smith				
10. Report Re: Interview of Tina MONTEZON on August 9, 2023				

SYNOPSIS

On August 9, 2023, Tina MONTEZON was interviewed at the U.S. Attorney's Office (USAO) in the Eastern District of Wisconsin (EDWI) to discuss her role in illegitimate prescriptions that were issued under Dr. John WHELAN's former DEA registration, BW4356716. This Report of Investigation (ROI) provides a summary of the interview.

DETAILS

1. On August 9, 2023, Tina MONTEZON met with investigators at the USAO EDWI to discuss a plea deal and discuss her role in illegitimate prescriptions that were issued under Dr. Joh WHELAN's former DEA registration. Present at the meeting were the following individuals: Assistant U.S. Attorney (AUSA) Julie Stewart, AUSA Kevin Knight, Drug Enforcement Administration (DEA) Diversion Group Supervisor Laura Reid, DEA Diversion Investigator Amber Davis, DEA Intelligence Research Specialist Elizabeth Newsom, and Defense Attorney Jonathan Smith. Below is a summary of the pertinent information discussed.
2. MONTEZON met WHELAN in 2015 when they worked together at DCP-Fond du Lac County. WHELAN had surgery and she gave him a ride home from work. MONTEZON helped take care of him since his family is not around. His daughter lives in California and stepdaughter visits every few weeks. WHELAN and MONTEZON became friends and MONTEZON

11. Distribution: Division	12. Signature (Agent) /s/ Elizabeth J Newsom, IRS	13. Date 08-14-2023
District	14. Approved (Name and Title) /s/ Laura L Reid, GS	15. Date 09-05-2023
Other		

REPORT OF INVESTIGATION <i>(Continuation)</i>	1. File No. I3-20-2008	2. G-DEP Identifier YCZ2H
	3. File Title WHELAN, John D., MD	
4. Page 2 of 4		
5. Program Code SEP486	6. Date Prepared 08-10-2023	

involved him with family functions. WHELAN was last at her house five (5) days ago.

3. MONTEZON indicated that WHELAN is very judgmental, has problems standing straight and might have neurological problems that started 4 to 5 years ago. WHELAN drinks alcohol, has depression, takes Temazepam and incontinence pills, and issues with blood pressure, cholesterol, and physical issues. MONTEZON did not know if WHELAN's issues were due to taking Temazepam and drinking or something else.
4. In 2018 WHELAN decided to open the clinic so he could make more money than in private practice [Analyst Note: Investigators identified 90 Clinton Street, North Fond du Lac, WI 54937 as the location of the clinic]. WHELAN wanted to use the basement at MONTEZON's house since her husband already had an office and renting one was too expensive [Analyst Note: Investigators identified Tina MONTEZON's husband as Alex MONTEZON]. WHELAN would pay MONTEZON's husband \$100 per week to use his office at the house and pay MONTEZON \$20.00 per hour and then 1/3 of what he made. All of the money went to WHELAN and then he would pay MONTEZON her cut. MONTEZON estimated she made between \$20,000 and \$30,000 from the clinic and used the money to pay bills, buy groceries, and clothes.
5. WHELAN took a suboxone course and got his DEA registration to include a Data Waiver so he could prescribe Suboxone. Patients were referred by word of mouth. Many patients said it was hard to find a Suboxone doctor. Patients paid \$300 for the first visit and \$200 after. Some patients would ask to pay less due to money issues and WHELAN would let them pay less. WHELAN would set the price patients paid. Patients would send money through Money Gram at first, but Money Gram cut him off since he sent too much money to St. Lucia [Analyst Note: WHELAN has family in St. Lucia].
6. WHELAN only saw patients on Saturday. Some patients had insurance and paid cash to obtain the prescription and then used their insurance to get the prescription filled at the pharmacy. WHELAN did not want to take insurance since it was too hard to set up. Investigators questioned MONTEZON if she was aware that

REPORT OF INVESTIGATION <i>(Continuation)</i>	1. File No. I3-20-2008	2. G-DEP Identifier YCZ2H
	3. File Title WHELAN, John D., MD	
4. Page 3 of 4		
5. Program Code SEP486	6. Date Prepared 08-10-2023	

prescription medications and suboxone were abused and have a street value. MONTEZON acknowledged "Yes".

7. MONTEZON raised concerns with WHELAN about taking cash and the prescriptions he wrote. Some pharmacies would only fill partial prescriptions or refused. WHELAN told MONTEZON "I'm the god damn doctor. They are nothing but a pharmacist." MONTEZON asked WHELAN "Are you sure we are on the up and up with this? The money is nice, but I don't want to get in trouble". WHELAN said "You won't. I have the DEA waiver, I'm licensed, I'm a doctor, I'm a psychiatrist".
8. During COVID patients did telehealth, but some patients came to the clinic to see WHELAN if they wanted their prescription changed. Patients could pick up prescriptions for other people but no one got a prescription unless they paid. Some patients never paid in full or paid as little as \$50.00. WHELAN wanted patients to have a prescription so it would be legally obtained and not mixed with "other stuff".
9. MONTEZON was unsure if WHELAN did a physical exam. Patients usually got what they wanted once they paid the money. They could ask for something different and WHELAN would prescribe it. Patients received prescriptions for Methylphenidate/Vyvanse and Adderall. According to MONTEZON, many patients seemed to be doing well since they could work and do stuff again, had kids, and got married.
10. MONTEZON indicated she wrote out the prescriptions to include the patient's name, date of birth, address and gave the prescription to WHELAN to sign. WHELAN gave her pre-signed blank prescriptions if he was going to be out of town "if they needed a pill or two". MONTEZON estimated she filled out pre-signed prescriptions roughly 10 times. MONTEZON indicated she never signed a prescription for WHELAN but could call in a prescription for him. She knew it was illegal to sign his name and stated "He would kill me" if she did.
11. Investigators asked MONTEZON if taking cash and giving out prescriptions was considered normal medical practice. MONTEZON indicated that at the time it seemed okay and "He was trying to do

REPORT OF INVESTIGATION <i>(Continuation)</i>	1. File No. I3-20-2008	2. G-DEP Identifier YCZ2H
	3. File Title WHELAN, John D., MD	
4. Page 4 of 4	6. Date Prepared 08-10-2023	
5. Program Code SEP486		

good", but now looking at it sees it differently. MONTEZON denied having a sexual relationship with WHELAN.

12. At the conclusion of the interview investigators discussed MONTEZON's plea agreement which is documented under ROI dated 08/09/2023 written by Diversion Investigator Amber Davis titled "Plea Agreement for Tina MONTEZON on 08.09.23" under this case file.

INDEXING

